

REMARKS

This application has been amended in a manner believed to place it in condition for allowance at the time of the next Official Action.

Claims 18-42 are pending in the application. Support for claims 18-42 may be found in the original claims (e.g., see original claims 1-3) and generally throughout the specification. Claims 1-17 have been canceled.

In the outstanding Official Action, claims 1-2 were rejected under 35 USC 112, second paragraph, for allegedly being indefinite. However, as noted above, claims 1-2 have been canceled. It is believed that claims 18-42 have been drafted so as to avoid the issues raised in the outstanding Official Action. In particular, support for the claims may be found in the specification at page 2, lines 5-10; and page 3, lines 1-20.

Claims 1-5 and 8-10 were rejected under 35 USC 102(b) as allegedly being anticipated by U.S. 2,749,247. This rejection is respectfully traversed.

U.S. 2,749,247 discloses "varnishes and paints the films of which on drying in air give wrinkle finishes of regular pattern" (column 1, lines 56-58). These compositions are mixtures of oils and resins (column 2, lines 1-3). Oils can be vegetable or animal oils (column 2, lines 3-4) and resins can be natural or synthetic resins (column 2, line 14).

The varnishes "are prepared by cooking the mixture of ingredients at temperatures ranging from 175 to 280°C till a thread of 6 to 10 inches can be drawn when a drop of the cooked material is taken between the two fingers. For getting small and fine wrinkles cooking at comparatively low temperatures (not exceeding 220°C) is necessary while for medium or heavy wrinkles coating at high temperature is required. To this material any soluble cobalt drier preferably cobalt linoleate in an amount varying from 0.1 to 1.0 per cent metal is added and the varnish is brought to the proper consistency by the addition of one or more organic solvents having boiling points between 40° to 125°C. such as benzene, toluene or the like" (column 2, lines 17-31).

Furthermore, the publication does not indicate the softening point of the resin, the viscosity of the oil, or the penetrability of the varnish. The disclosed varnish includes at least one solvent, which is excluded from the inventive binder.

In example IV of the publication, there is added "300 cc benzene and toluene mixture containing 1.5 gms of cobalt lineate". In this regard, the Examiner's attention is directed to page 2, lines 5-10, wherein it is discussed that compositions such as those that contain benzene are inappropriate for use as binders. Thus, it is believed that such solvents would affect basic characteristics of the composition so that they are distinguishable from the claimed invention.

Therefore, U.S. 2,749,247 fails to disclose a binder consisting exclusively of a vegetable resin and a vegetable oil having specific properties and optionally a coloring agent and a catalyst.

Although it is applicant's understanding that the additional patents generally referred to by the Examiner have not cited within the context of a rejection, applicants note the following:

U.S. 5,427,615 discloses a gelled ink vehicle for heatset set printing which comprises a modified rosin ester, an alkyd resin, a fatty acid ester solvent, and a modified vegetable oil in addition to or in place of the alkyd resins.

The vehicles disclosed in U.S. 5,427,615 all include in addition to the vegetable resin and optional vegetable oil a fatty acid ester solvent.

Thus, U.S. 5,427,615 fails to disclose the claimed invention for the reasons provided regarding U.S. 2,749,247.

U.S. 5,762,696 similarly discloses an ink vehicle composition which, besides a vegetable resin and a vegetable oil, always contains additional ingredients such as terpene dimer, solvents, alkyd resins and gellifiers.

U.S. 5,762,696 fails to disclose the claimed invention for the same reasons as provided regarding U.S. 2,749,247.

U.S. 2,550,961 discloses a varnish comprising a mixture of resin and vegetable oil (column 1, lines 7-9), which also

always includes a solvent selected from mineral spirit, xylene and toluene.

U.S. 2,550, 961 fails to disclose the claimed invention for the same reasons as above.

U.S. 2,357,016 discloses a binder for linolecum which comprises a polymerized resin or a high melting polymerized rosin ester and a vegetable oil.

However, besides the fact that U.S. 2,357,016 fails to disclose the penetrability of the binder, the binder of U.S. 2,357,016 contain additional ingredients, or contain less than 30 wt% of vegetable resin. Thus, U.S. 2,357,016 fails to disclose the claimed invention.

U.S. 2,343,021 discloses a varnish composition comprising rosin ester and a vegetable oil but also includes a solvent (mineral spirits, examples 1, 2 and 3).

Thus, for the above reasons, U.S. 2,343,021 also fails to disclose the claimed invention.

U.S. 5,021,476 discloses a binder for elastic pavement which comprises a natural resin, a mineral or vegetable oil, an elastomer and/or a thermoplastic polymer. The claimed binder does not include any elastomer or thermoplastic polymer.

Thus, the claimed invention is not anticipated by U.S. 5,021,476.

Claim 11 was rejected under 35 USC 103(a) as allegedly being obvious over U.S. 2,749,247 in view of BARNES et al. This rejection is respectfully traversed.

Applicants respectfully submit that U.S. 2,749,247 fails to disclose or suggest the claimed invention for the reasons identified above. In order to overcome the deficiencies of U.S. 2,749,247 for reference purposes, the Official Action cites to BARNES et al.

However, BARNES et al. merely disclose that cobalt and manganese octanoate are top driers and barium and zirconium octanoate are through driers. Thus, the publication is only cited for the proposition that some metallic octanoates are oxidative polymerization catalyst.

In view of the above, applicants respectfully submit that BARNES et al. does not remedy the deficiencies of U.S. 2,749,247 for reference purposes.

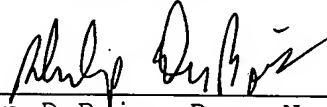
Charge the fee of \$100 for the two claims of any type added herewith, to Deposit Account No. 25-0120.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional  
fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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